

Community Development Department

P.O. Box 970 • 414 E First Street • Newberg, Oregon 97132

503-537-1240 • Fax 503-537-1272 • www.newbergoregon.gov

NOTICE OF DECISION

Habitat for Humanity

1205 E 5th Street

Design Review DR119-0006

September 17, 2019

Rick Rogers
Executive Director
Habitat for Humanity
1205 E 5th Street
Newberg, OR 97132

Dear Mr. Rogers,

The Community Development Director has approved the design review application DR119-0006 for a duplex located at 1205 E 5th Street. The decision will become effective on October 1, 2019 unless an appeal is filed.

You may appeal this decision to the Newberg Planning Commission within 14 calendar days of this decision in accordance with Newberg Development Code 15.100.170. All appeals must be in writing on a form provided by the Planning Division. If you wish to appeal, you must submit the written appeal form together with the required fee of \$528.15 to the Planning Division within 14 days of the date of this decision.

The deadline for filing an appeal is 4:30 pm on September 30, 2019.

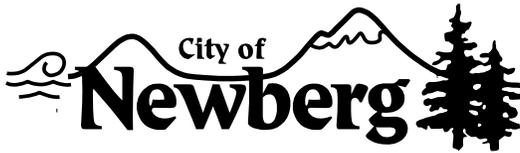
Design review approval is only valid for one year from the effective date above. If design review approval for your project is approaching its expiration date, contact the Planning Division regarding extension opportunities.

If you have any questions; please contact me at 503-554-7778 or keshia.owens@newbergoregon.gov.

Sincerely,

Keshia Owens

Keshia Owens
Assistant Planner



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STAFF REPORT
Habitat for Humanity
1205 E 5th Street
Design Review DR119-0006

FILE NO: DR119-0006

REQUEST: Design review approval for a new duplex

LOCATION: 1205 E 5th Street

TAX LOT: R3220BC 03601

APPLICANT: Rick Rogers, on behalf of Habitat for Humanity

OWNER: Newberg Area Habitat for Humanity

ZONE: R-2 (Medium Density Residential)

FINDINGS

Newberg Development Code 15.220.050(A), Type I. The following criteria are required to be met in order to approve a Type I design review request:

1. Parking. Parking areas shall meet the requirements of NMC 15.440.010.

Finding: Per NMC 15.440.010, a single-family or two-family dwelling requires 2 parking spaces for each unit on a single lot. The applicant is proposing parking spaces for 2 vehicles for each unit for a total of 4 parking spaces. This criterion is met.

2. Setbacks and General Requirements. The proposal shall comply with NMC 15.415.010 through 15.415.060 dealing with height restrictions and public access; and NMC 15.405.010 through 15.405.040 and NMC 15.410.010 through 15.410.070 dealing with setbacks, coverage, vision clearance, and yard requirements.

Finding: In the R-2 district, no main building shall exceed 30 feet in height and no building or structure shall be erected or altered except on a lot fronting or abutting on a public street or having access to a public street over a private street or easement. The proposed duplex is roughly 22 feet in height and takes access from a public street. All lots or development sites in the R-2 district shall have a front yard of no less than 15 feet, the proposed duplex will be nearly 16 feet from the front lot line. All lots or development sites in the R-2 district shall have no interior yards of not less than five feet, except that where a utility easement is recorded adjacent to a side lot line, there shall be a side yard no less than the width of the easement. The subject site has a rear setback of 8 feet and side setbacks of nearly 13 feet

and interior yards do not contain any utility easements. There are no garages proposed with this development and the garage setback does not apply. The proposed duplex does not take up more than 50 percent of the maximum lot coverage. Parking will be located on one paved driveway for each duplex and parking does not take up more than 30 percent of the maximum parking coverage or more than 60 percent of the maximum lot and parking coverage as allowed in the R-2 zone. The proposal also meets vision clearance and yard requirements. These criteria have been met.

3. Landscaping Requirements. The proposal shall comply with NMC 15.420.010 dealing with landscape requirements and landscape screening.

Finding: As required for one or two-bedroom units, over 200 square feet of outdoor recreation space per unit is provided and storage areas are located inside each unit. This criterion is met.

4. Signs. Signs shall comply with NMC 15.435.010 et seq. dealing with signs.

Finding: Not applicable; the project does not include any signs.

5. Zoning District Compliance. The proposed use shall be listed as a permitted or conditionally permitted use in the zoning district in which it is located as found in NMC 15.304.010 through 15.328.040.

Finding: A duplex is considered a permitted use in the R-2 zoning district. This criterion is met.

Conclusion: The proposed design review meets the applicable criteria as proposed.

Development Notes: The development will be subject to Frontier Communications requirements. At the time of development permits, the applicant must place a 1 inch subduct into the right-of-way for communication lines. All requirements noted by Tualatin Valley Fire & Rescue must also be addressed (letter attached).

Engineering's Comments:

Site Information

Access and Transportation: Access to the lots is provided from E Fifth Street which is classified as a local residential street.

Utilities:

Water: There is an existing 12-inch water line documented in the City's GIS system on E Fifth Street.

Wastewater: There is an existing 8-inch public wastewater line documented in the City's GIS system on E Fifth Street.

Stormwater: There are no public stormwater facilities adjacent to the property.

Overhead Lines: There are overhead utilities serving the property. Poles and associated lines that are moved will need to be undergrounded. Any new or modified connection the property will need to be undergrounded. See NMC 15.430.010 for exception provisions.

Engineering Notes for Type 1 Application:

Permits required for the construction of the Duplex include any applicable Building Permits, Public Improvement Permit for frontage improvements or connections to public utilities/infrastructure, and an Erosion and Sedimentation Control (ESC) Permit for any ground disturbance during construction.

1. According to NMC 15.430.010 existing utilities lines shall be placed underground when they are relocated. The applicant will be required to underground power service to the proposed duplex.
- 2.
3. Per NMC 12.05.090, if the valuation for the site improvements exceed \$30,000 the applicant shall meet the following requirements:

1. *Construct a sidewalk within the dedicated right-of-way for the full frontage in which a sidewalk in good repair does not exist. The sidewalk construction shall be completed within the building construction period or prior to issuance of an occupancy permit, whichever is the lesser.*
2. *Dedicate right-of-way in accordance with the city transportation plan.*

The applicant should anticipate constructing frontage improvements along E Fifth Street per the cross-sectional requirements of the City's Transportation System Plan as required through the building permit process. These improvements will include, but are not limited to constructing a new driveway approach, upgrading the existing sidewalk to 5-foot wide and meeting current ADA requirements, dedicating right-of-way as necessary, and planting street trees(s).

4. The City of Newberg has stormwater requirements which are outlined in NMC 13.25 Stormwater Management, and the Public Works Design and Construction Standards. The applicant will be required meet the City's stormwater requirements and have indicated in the application their intent to build a rain garden.

5. The applicant is reminded that they are responsible for the cost of the water and wastewater service laterals installed within the public right-of-way during the City's E Fifth Street Wastewater project. This work was coordinated with the owners of 1201 and 1205 E Fifth Street to have the additional service laterals installed prior to the E Fifth Street portion of the City's 2018 Pavement Preservation Project. The cost for these laterals are included with the Engineering Fees for Public Improvement Permit EG18-0470.

The applicant is further reminded that work outside of the right-of-way will need to be performed under a plumbing permit, or permits. Work on the private side will also need to be coordinate with Public Works Maintenance for installation of a new water meter, or meters.